

**REMARKS**

It is believed that this Amendment, in conjunction with the following remarks, place the application in immediate condition for allowance. Accordingly, entry of this Amendment and favorable consideration of the application are respectfully requested. Claims 1, 2 and 6-26 are pending in the application.

**Interview Summary**

At the outset, Applicant's representative thanks the Examiner for the courtesies extended during the interview conducted on February 14, 2003. As discussed during the interview, Applicant has amended the claims to further distinguish claimed combinations and relate specific aspects of the relationship of the transport packets to the sync blocks. In view of the Examiner's apparent confusion to this relationship, Applicant wishes to further point out the relationship such as illustrated in Figs. 20-22. In the illustrated embodiment, each synch block has 77 bytes including and the "M transport packets are divided into N sync blocks to form the recording format" as illustrated in these figures (i.e., 2 to 5).

Additionally, the Examiner questioned the element that serves as the division setting means. Applicant respectfully submits this function can be performed by the address control circuit as discussed the specification.

In regard to claim 7, the claim combination features that the coded data of an integer number of image blocks are accommodated in a predetermined number "K" of sync blocks (see, e.g., page 54, lines 2-5 and page 63, lines 18-21). By making the

coded data of an integer number of image blocks accommodated in a predetermined number of synch blocks, the possibility of coded data of each image block being divided into different sync blocks can be eliminated or reduced. For example, if K is equal to 1, the possibility of the image block being divided is eliminated. However, even if K is greater than 1, the possibility is reduced. By eliminating or reducing the possibility of this division, the occurrence of data errors during playback due to the division can be eliminated or reduced.

#### **Election/Restriction**

The Examiner has withdrawn claims 23-26 as being allegedly drawn to a non-elected embodiment. Applicant respectfully traverses this withdrawal of claims 23-26. Claims 23-26 depend from previously elected claim 6 and are not drawn to non-elected embodiments. However, Applicant notes with appreciation that the Examiner has indicated he will at least rejoin these claims upon allowance of claim 6. Accordingly, Applicant respectfully requests such rejoinder.

Additional reasons for allowance over rejections of record are further discussed in the following remarks.

#### **35 U.S.C. § 102 & 103 Rejections**

Claims 6-8 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Lane, et al.* (U.S. Patent No. 6,141,486). Claims 19-22 were rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over *Lane, et al.* in view of

*Shimoda* (U.S. Patent No. 5,440,345). Applicant respectfully traverses each of these rejections for at least the following reasons.

### **Reply to Response to Arguments**

Since the Examiner has maintained the prior rejections and has provided arguments in support of this position, Applicant will address the Examiner's response first.

The Examiner states "Lane et al. discloses element 1610 as an address control storage means for dividing the track numbers of the trick play packets for the track format circuit 1600." However, in contrast to the Examiner's statement the Lane et al. reference actually discloses in column 57 "[t]he track map look-up table 1610 includes a table having entries for each supported mode of trick play operation, i.e., it contains a record of the locations of all possible trick play track segments, e.g., sync blocks, contained in a track map for a particular speed and direction of tape operation supported by the VTR playback circuit 1600." As previously noted, Applicant does not understand what why the Examiner implies that this is a division setting means as opposed to a lookup table that contains an index into the recorded track segments as clearly defined in the Lane et al. reference. Further, the Examiner has provided no motivation or suggestion found in the Lane et al. reference to modify the operation of the element so as to function as alleged by the Examiner, but instead cites Applicant's own specification as motivation for modification. Accordingly, Applicant submits that

the Examiner has relied upon impermissible hindsight reference to Applicant's specification to arrive at Applicant's claimed combinations.

Regarding element 1602 of Lane et al., the Examiner states element 1602 is "directly related to elements 406 and 410, which are transport packet processors." However, even if this interpretation of Lane et al. is correct (which Applicant does not concede), the Examiner has not shown that block 1610 is the "division number setting means for setting N sync blocks; wherein the sync blocks are related to the transport packets 1602 included in the bit stream", as alleged by the Examiner. The Examiner has merely stated now that element 1602 is related to elements that allegedly process transport packets. Clearly, the Examiner has undermined and changed his position that element 1602 is the transport packets as explicitly stated in the prior rejection maintained by the Examiner. The Examiner now apparently relies on elements 406 and 410 as transport packet processors. However, these elements are not transport packets and do not teach the features alleged by the Examiner in relation to the transport packets and sync blocks.

Accordingly, Applicant respectfully requests the Examiner to withdraw the Finality of the outstanding Office Action. Further, Applicant respectfully requests reconsideration and allowance of Applicant's claimed combinations in view of the deficiencies of both the maintained rejection and new basis for rejecting the claims.

Additionally, even in light of all of the above, the Examiner still has not even alleged that the Lane et al. reference discloses the claimed relationship between the sync blocks and transport packets. Applicant respectfully submits the Lane et al. reference is

completely silent on the relationship between the sync blocks and transport packets. Therefore, this aspect provides an additional reason for allowance of Applicant's claimed combinations in addition to the reasons provided above.

As stated in MPEP § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The Lane et al. reference applied by the Examiner neither expressly nor inherently describes every feature of Applicant's claimed combinations as detailed in the foregoing arguments. Therefore, Applicant respectfully submits that the applied reference does not anticipate Applicant's claimed combinations as alleged by the Examiner.

In an effort to expedite prosecution and allowance of the present application, Applicant has amended claims 6 and 7 to even further distinguish Applicant's claimed combinations over the applied references.

For example, claim 7 has been amended to further define the decoding means and coefficient counting means, which provide additional basis for allowance of Applicant's claimed invention in addition to the deficiencies of the applied art noted in Applicant's prior responses.

**Rejections under 35 U.S.C. § 102 and 103**

Since the Examiner has maintained his rejection of claims 6-8 and 19-22 under 35 U.S.C. § 102 and 103 as noted above, Applicant once again traverses these rejections. Applicant expressly maintains the reasons from the prior responses to clearly indicate on the record that Applicant has not conceded any of the previous positions relative the maintained rejections. For brevity, Applicant expressly incorporates the prior arguments presented in Applicant's prior responses without a literal rendition of those arguments in this response.

**SUMMARY**

For at least the foregoing reasons and the reasons set forth in Applicant's prior responses, it is respectfully submitted that claims 6 and 7 are distinguishable over the applied art. The remaining dependent claims are allowable at least by virtue of their dependency on the above-identified independent claims. See MPEP § 2143.01. Moreover, these claims recite additional subject matter, which is not suggested by the documents taken either alone or in combination.

**CONCLUSION**

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to

contact Mark E. Olds, Reg. No. 46,570, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

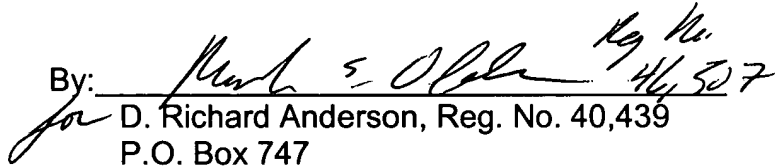
Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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DRA/MEO/ndb/kmr

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Attachment: Version with Markings to Show Changes Made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

IN THE CLAIMS

The claims have been amended as follows:

6. (Four Times Amended) A digital VTR for magnetically recording and replaying digitally transmitted bit stream in a predetermined recording format, comprising:

division number setting means, responsive to a bit stream input, ~~for setting the division number N so that N sync blocks form the recording format, wherein N is an integer;~~

~~the bit streams~~ including a predetermined number M of transport packets as a unit, wherein M is an integer, and wherein ~~the~~ N sync blocks are related to the transport packets such that N is not equal to M, and wherein N is an integer;

said division number setting means setting the division number so that M transport packets are divided into N sync blocks to form the recording format;

header appending means for appending, to data of the bit stream before the division, a header indicating the transport packet; and

format forming means for forming N consecutive sync blocks from the data after the division of the bit stream.

7. (Twice Amended) A digital VTR for magnetically recording and replaying a digitally transmitted bit stream in a predetermined recording format, comprising:



data identification means for decoding header information of the input bit stream;

~~decoding means for decoding the content of data of an input bit stream;~~

data extracting means for extracting, from the input bit stream, a series of encoded data of image blocks used for fast replay, based on the decoded data header information; and

decoding means for decoding the series of coded data of the input bit stream and for outputting a transformation coefficient belonging to the decoded data;

coefficient counting means for counting the number of transformation coefficients; and

data reducing means ~~for reducing the data amount of the extracted encoded data~~ for receiving the coefficient count number from the coefficient counting means in such a way that the data length of the extracted, coded data of an integer number of image blocks is reduced to a data amount which can be recorded in K sync blocks in said predetermined format, wherein K is a positive integer.